

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of PACHUK *et al.*

Confirmation No.: 9095

Serial No.: 10/531,349

Group Art Unit: 1635

Filed: April 15, 2005

Examiner: Richard Schnizer, Ph.D.

For: **DOUBLE-STRANDED RNA STRUCTURES AND CONSTRUCTS, AND
METHODS FOR GENERATING AND USING THE SAME**

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This paper responds to the Restriction Requirement dated January 3, 2008. A one-month extension of time is hereby requested, making this paper timely filed by March 3, 2008.

In response to the Restriction Requirement, Applicants elect Group 1 (claims 108-168, 173 and 174) without traverse. Applicants reserve the right to pursue claims drawn to the subject matter of Groups 2 and 3 in one or more divisional application(s).

With respect to the election of species requirement set forth at pages 4-5 of the Office Action, Applicants elect the following species without traverse:

A construct encoding an RNA molecule, or an RNA molecule, having at least two double-stranded segments with substantial identity to at least two target polynucleotide sequences of a virus, and in accordance with independent claims 108, 173, and 174.

Applicants further elect the presence of one or more stem-loop structures comprising a double-stranded stem region and a single-stranded loop region, each stem loop structure being separated by a single-stranded spacer region as set forth in claims 129 and 174.

Applicants further elect an absence of a plurality of RNA molecules covalently linked in a 5' to 3' orientation, and an absence in the construct of a gene encoding an RNA polymerase.

Claims 108-129, 135-138, 142, 146, 147, 148, 150, 151-158, 161-168, 173, and 174 read on the elected species. Applicants respectfully request that additional species be searched upon allowance of a generic claim.

The Examiner is invited to call the undersigned for resolution of any issues that may arise during prosecution of this application.

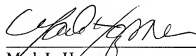
Please charge the fee for a one-month extension of time, as well as any additional fees deemed necessary by the filing of this paper, to Deposit Account 50-1283. Please also credit any overpayments to Deposit Account 50-1283.

Dated: March 3, 2008

COOLEY GODWARD KRONISH LLP
ATTN: Patent Group
777 6th Street, NW, Suite 1100
Washington, DC 20001
Tel: (202) 842-7800
Fax: (202) 842-7899

Respectfully submitted,
COOLEY GODWARD KRONISH LLP

By:


Mark L. Hayman
Reg. No. 51,793